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102803  
U.S.PTOSUBSTITUTE for PTO/SB/05 (08-03) Utility Patent Application Transmittal  
Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCEUTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	21128
First Inventor or Application Identifier	Todd D. Nelson, et al.
Title	N-HETEROCYCLIC BICYCLIC LACTONE COMPOUNDS
Express Mail Label No.	EV 323152492 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form<br><i>(Submit an original, and a duplicate for fee processing)</i>  | 6. Nucleotide and/or Amino Acid Sequence Submission<br><i>(if applicable, all necessary)</i>  |
| 2. <input checked="" type="checkbox"/> Specification [ Total Pages 24 ]   | a. <input type="checkbox"/> Computer Readable Form (CRF)  |
| 3. <input type="checkbox"/> Drawing(s) (35 USC 113) [ Total Sheets _____ ]  | b. <input type="checkbox"/> Specification Sequence Listing on:<br>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or<br>ii. <input type="checkbox"/> paper |
| 4. Oath or Declaration  | c. <input type="checkbox"/> Statements verifying identity of above copies   |
| a. <input checked="" type="checkbox"/> Newly executed (original or copy)  | 7. <input type="checkbox"/> Assignment papers (cover sheet & document(s))   |
| b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br><i>(for continuation/divisional with Box 14 completed)</i>  | 8. <input type="checkbox"/> 37 CFR 3.73(b) Statement<br><i>(when there is an assignee)</i>  |
| i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u><br><br>Signed statement attached deleting<br>inventor(s) named in the prior<br>application, see 37 CFR 1.63(d)(2)<br>and 1.33 (b). | 9. <input type="checkbox"/> Information Disclosure Statement<br>(IDS)/PTO-1449  |
| 5. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76   | 10. <input type="checkbox"/> Preliminary Amendment  |
|   | 11. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br><i>(Should be specifically itemized)</i>  |
|   | 12. <input type="checkbox"/> Certified Copy of Priority Document(s)<br><i>(if foreign priority is claimed)</i>  |
|   | 13. <input type="checkbox"/> Other: _____   |

14. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation     Divisional     Continuation-in-part (CIP)    of prior application No. \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

## 15. CORRESPONDENCE ADDRESS

 Customer Number

Customer No. 000210

NAME	Richard S. Parr				
ADDRESS	Merck & Co., Inc., P. O. Box 2000 - Patent Dept., RY60-30				
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COUNTRY	USA	TELEPHONE	732-594-4958	FAX	732-594-4720

Name	Richard S. Parr	Registration No. (Attorney/Agent)	32,586
Signature		Date	10/28/2003

## EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT October 28, 2003

EXPRESS MAIL NO. EV 323152492 US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

MAILED BY DATE October 28, 2003

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

16638  
102803  
U.S.P.

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Deposit Acct. 13-2755  
MERCK & CO., INC.  
Our Case Docket No. 21128

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is the patent application of Inventor(s):  
Todd D. Nelson, Carl LeBlond and Michael H. Kress

For: N-HETEROCYCLIC BICYCLIC LACTONE COMPOUNDS

For	Number Filed	Number Extra	Rate	Basic Fee \$770
Total Claims	21 - 20 =	1 X	\$18	= \$18
Independent Claims	5 - 3 =	2 X	\$86	= \$172
Multiple Dependent Claims*			\$290	=
* Add this fee if application contains any multiple dependent claims, regardless of number.			TOTAL FILING FEE →	\$960

Please charge my Deposit Account No. 13-2755 in the amount of \$ 960. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 13-2755. Duplicate copy of this sheet is enclosed.

Under the provisions of 37 C.F.R. §1.53, this application is being filed without the declaration of each inventor.

Respectfully,

By: Richard S. Parr

Attorney For Applicant(s)

Reg. No. 32,586

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732) 594-4958

Date: October 28, 2003

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DATE OF DEPOSIT	<u>October 28, 2003</u>
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MAILED BY <u>lora Sheppard</u>	DATE <u>October 28, 2003</u>

IN DUPLICATE